

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.19485 of 2006

DATE OF DECISION: December 8, 2006

Surjit Singh

....Petitioner

VERSUS

State of Punjab and others

....

Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri M.S.Khaira, Senior Advocate with
Shri Abinashi Singh, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents.

On the asking of Court, Shri Sukhdip Singh Brar,
Additional Advocate General, Punjab accepts notice on behalf of the
respondents.

Copies of the writ petition have been supplied to the
learned counsel for the respondents.

Vide order dated February 22, 2005, the revisional
authority disposed of the revision petition filed by the petitioner by
requiring the petitioner to deposit an amount of Rs.4,60,260/- being
the outstanding amount. A further liberty was granted to the
petitioner, if he so desired, to submit a representation to the Chief
Administrator seeking rebate on account of penal interest,
highlighting all the reasons that might go in his favour. The Chief

Administrator was also directed to consider the representation alongwith all other relevant facts.

The petitioner claims that in pursuance to the aforesaid directions given by the revisional authority, he deposited the outstanding dues but there was some delay. He had deposited the aforesaid amount on June 28,2005 vide receipts No.3670 and 3671. In these circumstances, the petitioners filed an application before the revisional authority for extending the period of time. However, the aforesaid application for extension/review has been rejected by the revisional authority vide order dated October 24,2006 by holding that there was no power to review.

Keeping in view the facts and circumstances of the case and also the fact that the petitioner has already deposited the amount which was stated to be outstanding against him, as noticed in the revisional order dated February 22, 2005, but there was only some delay, we dispose of the present petition by holding that the deposit made by the petitioner shall be deemed to be a valid deposit in terms of the order dated February 22, 2005. The liberty granted to the petitioner to file representation to the Chief Administrator seeking further relief shall also remain intact.

The present petition is disposed of accordingly.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

December 8, 2006
KD

(H.S. Bhalla)
Judge